Reply to Office Action of April 11, 2008

Docket No. 0505-1250PUS1 Art Unit: 3747

Page 7 of 11

## REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 8-10 are cancelled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 11 and 16 were previously cancelled. Claims 1-7, 12-15, and 17-20 are pending. Claims 1, 3 and 5 are amended. Claims 1, 3, 4 and 5 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

# Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by incorporating the allowable subject matter of claim 4 into each of independent claims 1, 3, and 5, and by canceling dependent claims 8-10, thereby reducing the number of pending claims.. This Amendment was not presented at an earlier date in view of the fact that the Examiner has just now presented new grounds for rejection in this Final Office Action.

## Allowable Subject Matter

The Examiner states that claim 4 has been allowed.

The Applicant thanks the Examiner for the indication of allowed subject matter in this application. By way of this Amendment, each of independent claims 1, 3, and 5 has been amended to incorporate the allowable subject matter of claim 4.

Therefore, independent claims 1, 3, and 5 are in condition for allowance.

#### Examiner Interview

If, during further examination of the present application, a discussion with the Applicants' Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

#### Claim Objections

Claims 8 and 9 are objected to. In response, the Applicants have cancelled claims 8 and 9.

### Rejection Under 35 U.S.C. § 103(a)

Claims 1, 2, 6-9, 12-14, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Onda et al. (U.S. Patent Publication 4,632,070) in view of Poles et al. (U.S. Patent Publication 2001/0021363);

Claims 3, 5, and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Onda et al. and Poles et al., in view of Tominaga et al. (U.S. 4,395,980) and Shibata et al. (U.S. Publication Patent 4,744,432);

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Onda et al.

and Poles et al., and further in view of Wernholm et al. (U.S. Patent Publication 6,692,551);

Claims 8 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Onda et al. and Poles et al., and further in view of Keller (U.S. Patent Publication 2,635,858);

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Onda et al.

and Poles et al., and further in view of Busch et al. (U.S. Patent Publication 2001/0052410).

These rejections are respectfully traversed.

# Amendments to Independent Claims 1, 3, and 5

As noted above, and while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, each of independent claims 1, 3, and 5 has been amended herein to incorporate the allowable subject matter of allowed claim 4.

At least for the reasons described above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 3, and 5 is not disclosed or made obvious by the prior art of record, including Onda et al., Poles et al., Tominaga et al, and Shibata et al.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested. Therefore, independent claims 1, 3, and 5 are in condition for allowance.

Application No. 10/688,927 Amendment dated July 11, 2008 Reply to Office Action of April 11, 2008

Docket No. 0505-1250PUS1 Art Unit: 3747 Page 10 of 11

# **Dependent Claims**

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, as well as for the additional novel limitations set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

Application No. 10/688,927 Amendment dated July 11, 2008 Reply to Office Action of April 11, 2008 Docket No. 0505-1250PUS1 Art Unit: 3747

Page 11 of 11

## **CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (Direct Line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

Dated: July 11, 2008

BIRCH, STEWART, KOLASCH & BIRCH, LLP

James M. Slattery

Reg. No. 28,380

P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

JMS/CTT/ktp/tdo